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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|-------------|----------------------|---------------------|------------------|
| 10/787,144 | 02/27/2004 | Shin-ichi Uehara | Q80145 | 4598 |
| 23373 | 7590 | 12/27/2005 | | EXAMINER |
| SUGHRUE MION, PLLC 2100 PENNSYLVANIA AVENUE, N.W. SUITE 800 WASHINGTON, DC 20037 | | | CALEY, MICHAEL H | |
| | | | ART UNIT | PAPER NUMBER |
| | | | 2871 | |

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Please find below and/or attached an Office communication concerning this application or proceeding.



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| APPLICATION NO./ CONTROL NO. | FILING DATE | FIRST NAMED INVENTOR / PATENT IN REEXAMINATION | ATTORNEY DOCKET NO. |
|---------------------------------|-------------|---|---------------------|
| 10/787,144 | 2/27/04 | UEHARA | Q 80145 |

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| EXAMINER |
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CALEY

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| ART UNIT | PAPER |
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2871 12222005

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Commissioner for Patents

The reply filed on 10/7/05 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s): Errors in listing of claims readable on elected species. See 37 CFR 1.111.

The listing of claims includes claims 7-10, 14, 15, 21, and 22, which are each dependent on claims not included as readable on the elected species. Furthermore, claims 3 and 4, on which claims 7-10 are dependent, appear to contradict the disclosure of the elected species. Claims 3 and 4 specify a focal distance as smaller than the distance H. Figures 23 and 24 and Page 41 of the Specification appear to describe the elected species as disclosing the focal distance as larger than the distance H. Claims 19 and 20, from which claims 21 and 22 depend, specify a focal distance as the same as the distance H, which also appears to contradict the disclosure of the elected species. Furthermore, claims 19 and 20, specify the focal distance and the distance H as the same, whereas claims 1 and 2 specify these distances as different, representing mutually exclusive embodiments, which may not simultaneously read on the elected species. Appropriate correction is required.

Since the above-mentioned reply appears to be bona fide, applicant is given ONE (1) MONTH or THIRTY (30) DAYS from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

mhc
mhc

Andrew Schechter
ANDREW SCHECHTER
PRIMARY EXAMINER